



May 2, 2008

~~William~~ ALVIN K.
Hellerstein
U.S. District Judge
United States Courthouse
500 Pearl St. Rm. 1050
New York NY 10007

USDC SDNY
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Re: Darryl Petteway v. City of New York et al.
Docket No. 07 Civ. 11329 (AKH)

Dear Judge Hellerstein:

JOHN WARE UPTON
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As I informed the Court yesterday, plaintiff accepted the defendants' Rule 68 Offer of Judgment.

The parties will be presenting the Court with a judgment to So Order.

I read today on ecf that the Court dismissed the case. I don't believe the parties will be able to file a judgment if the case is dismissed.

Therefore, I request that the Court order the Clerk to reinstate the case, solely for the purpose of filing a judgment.

Thank you.

Respectfully,

John Ware Upton

cc: Mark Zuckerman, Esq.

The Clerk will
accept the judgment
when it is filed.
5-2-08
Alvin K. Hellerstein